

Commissioner for Patents  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/643,579	08/22/2000	Richard Martin Broglie	07148-025003

CARGILL INCORPORATED  
P.O. BOX 5624 MS 24  
MINNEAPOLIS, MN 55440-5624

Docketed 10/1 Attorney DLB  
Action 1st Resp Due  
Due Date \_\_\_\_\_  
Deadline 11/26/02  
Initials sas

CONFIRMATION NO. 3114

FORMALITIES LETTER



\*OC000000008853249\*

Date Mailed: 09/26/2002

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) Page 37, 38, & 39 of the specification (description and claims).

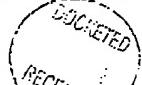
I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit must be filed within TWO MONTHS of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date must be filed within TWO MONTHS of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted item(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within TWO MONTHS of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b). In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required.



A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes . Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

---

*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Please type a plus sign (+) inside this box

O P E  
DEC 14 2000  
CJC

ATTENT & TRADEMARK OFFICE

U.S. PATENT AND TRADEMARK OFFICE

UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket No.	BB1334 USNA CNT1
		First Named Inventor or Application Identifier	
		RICHARD MARTIN BROGLIE	
		Express Mail Label No.	EL073739282US
		Express Mailing Date	AUGUST 22, 2000

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents.</i>		<b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
<p>1. <input checked="" type="checkbox"/> Fee (Authority to charge deposit account below.) <i>(Submit an original, and a duplicate for fee processing)</i></p> <p>2. <input checked="" type="checkbox"/> Specification [Total Pages 60] <i>(preferred arrangement set forth below)</i></p> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross References to Related Applications <i>(if needed)</i></li> <li>- Statement Regarding Fed sponsored R &amp; D <i>(if needed)</i></li> <li>- Reference to Microfiche Appendix <i>(if filed)</i></li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings <i>(if filed)</i></li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> <p>3. <input checked="" type="checkbox"/> Drawing(s) <i>(35 USC 113)</i> [Total Sheets 4]</p> <p>4. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages 1]</p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 14 completed)</i></li> </ul> <p>i. <input type="checkbox"/> <b>DELETION OF INVENTORS</b> Signed Statement below at 15. deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>5. <input checked="" type="checkbox"/> Incorporation by Reference <i>(useable if Box 4b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p>		<p>6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i></p> <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> Computer Readable Copy</li> <li>b. <input checked="" type="checkbox"/> Paper Copy <i>(identical to computer copy)</i></li> <li>c. <input checked="" type="checkbox"/> Statement verifying identity of above copies</li> </ul>	
<b>ACCOMPANYING APPLICATION PARTS</b>			
<p>8. <input type="checkbox"/> Power of Attorney</p> <p>9. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/Cover Letter plus PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>10. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>11. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i></p> <p>12. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i></p> <p>13. <input type="checkbox"/> Other:</p>			
<p>14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:  <input checked="" type="checkbox"/> Continuation    <input type="checkbox"/> Divisional    <input type="checkbox"/> Continuation-in-part (CIP)    of prior Application No.: 09/232,948</p> <p>15. <input type="checkbox"/> <b>DELETION OF INVENTOR(S) STATEMENT:</b> This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.63(d)(2) and 1.33(b), the Assistant Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:</p> <p>16. <input checked="" type="checkbox"/> Amend the specification by inserting before the first line the sentence: — This is a continuation of Application No. 09/232,948 filed January 19, 1999, now pending which is a continuation of Application No. 08/728,025 filed October 9, 1996, now abandoned. —</p> <p>17. <input type="checkbox"/> Cancel in this application original claims _____ of the prior application before calculating the filing. (At least one original independent claim must be retained for filing purposes.)</p> <p>18. <input type="checkbox"/> Priority of foreign Application No. _____ filed on _____ in _____ (country) is claimed under 35 U.S.C. 119.</p>			

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	<b>TOTAL CLAIMS</b> (37 CFR 1.16(c))	36 - 20 =	16	x \$ 18 =	\$ 288.00
	<b>INDEPENDENT CLAIMS</b> (37 CFR 1.16(b))	3 - 3 =	0	x \$ 78 =	0
	<b>MULTIPLE DEPENDENT CLAIM(S)</b> (if applicable)			+ \$ 260 =	0
				<b>BASIC FEE</b> (37 CFR 1.16(a))	+ \$ 690.00
				<b>TOTAL</b> =	<b>\$ 978.00</b>

19. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 04-1928:

- a.  Fees required under 37 CFR 1.16.
- b.  Fees required under 37 CFR 1.17.
- 20.  Other:

#### 21. CORRESPONDENCE ADDRESS

NAME	Lynne M. Christenbury			
ADDRESS	E. I. du Pont de Nemours and Company			
	Legal - Patents			
	1007 Market Street			
CITY	Wilmington	STATE	Delaware	ZIP CODE
COUNTRY	U.S.A.	TELEPHONE	302-992-5481	FAX
				19898
				302-892-7949

#### 22. SIGNATURE OF ATTORNEY OR AGENT REQUIRED

NAME	Lynne M. Christenbury	REG. NO.: 30,971
SIGNATURE		
DATE	22 August 2000	